

# IDAHO STATE POLICE



## Alternative Funding

SUPPLEMENTAL

PART 2

## Interim Committee

SEPTEMBER TWENTY-NINTH TWO THOUSAND NINE

# Comments on Alternative Funding Options

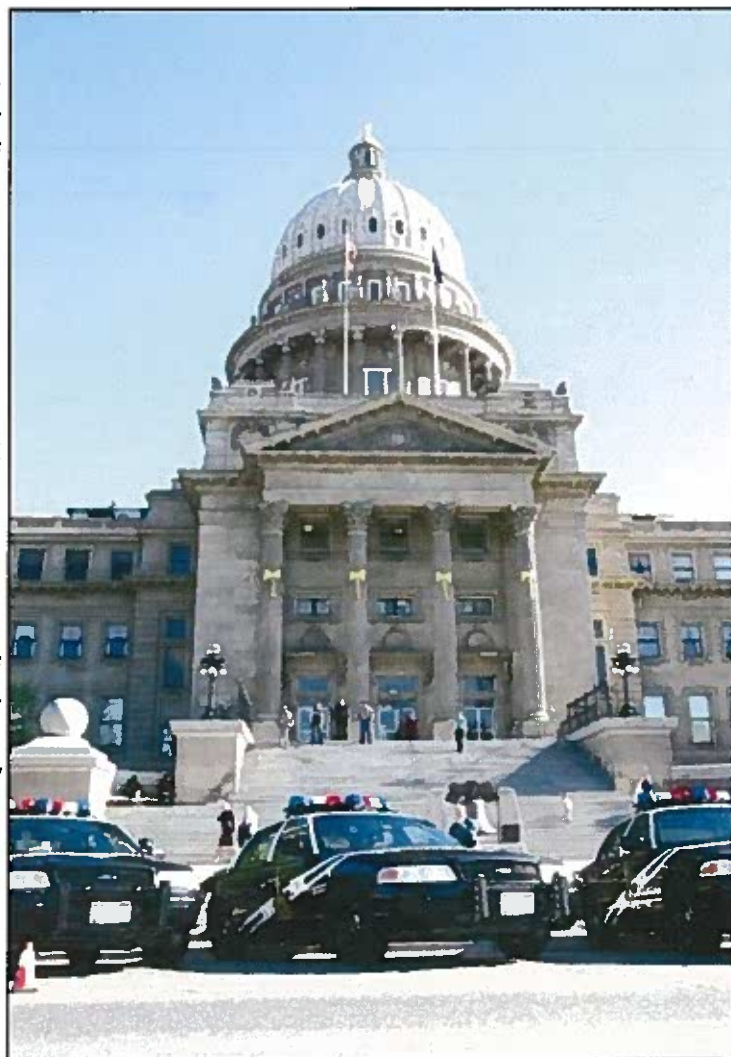
Whatever alternative funding source is decided on we believe that it should be one that will grow with the state of Idaho. We would be interested in implementing a plan similar to Utah whereby the number of Trooper FTPs is based on either the number of vehicle registrations or population. Implementing an initiative like this would ensure that the Idaho State Police (ISP) Patrol is aligned with the continuing needs of the people of Idaho reflecting growth or decline in the base.

The ISP FY 2011 budget request has now been submitted with the dedicated portion for Patrol at \$20,603,100.

Part 2 of the supplemental expands on questions asked during the August 11 task force meeting.

*Ray Houston, Budget and Policy Analyst, asked Patti Tobias on behalf of a legislator, "To supplement city funding, are local police setting up speed traps on state highways that run through their communities?" This question was directed to ISP.*

Unfortunately, we were unable to obtain an accurate response to the question. Without contacting each of the more than 100 local police agencies in the state of Idaho, it is difficult to determine whether emphasis enforcements are financial or safety driven.



*Ray Houston, Budget and Policy Analyst, asked Patti Tobias on behalf of a legislator, "What might the impact be if a larger portion of those receipts were directed to the highway distribution account rather than to the local jurisdiction that made the arrest?" This question was directed to ISP.*

While directing a larger percentage of receipts to the Highway Distribution Account (HDA) will certainly generate some overall impact, the impact on ISP's 5% portion of the HDA would be minimal. ISP's portion of the account would need to increase significantly for the difference to be noticeable.

We hope that the remainder of this document sufficiently addresses the questions that were raised and will assist the task force in identifying possible alternative funding sources.

# Summary of Alternative Funding Options

Note: Numbering is not related to ranking or priority, numbers are instead correlated to each data source.

		Type of Change	Current Fee	Current Count	Proposed Fee Increase	Estimated Annual Revenue Based on 2008 Figures
1	Increase Vehicle Registration Fee	Policy/Revenue	(varies)	1,614,392 vehicle registrations	\$1	\$1,614,392
2	Sales Tax	Policy/Revenue		\$160,550,000 for every 1% of sales tax		
3	Increase Drivers License Fee	Policy/Revenue	(varies)	343,700 licenses issued	\$5	\$1,718,500
4	Increase on Recreational Vehicle Reg.	Policy	(varies)	90,957 recreational vehicles	\$3	\$272,871
5	Dedicated Sales Tax on Transp. Items	Policy/Revenue	\$0		0.5%	\$13,750,000
6	Auto Dealer Vehicle Sales Tax	Policy/Revenue	\$0	\$1,905,559,482 annual auto sales	0.5%	\$9,527,797
7	Tire Fee	Policy/Revenue	\$0	1,614,392 vehicle registrations	\$3 Per Tire	\$4,843,176
8	Increase Titling Fee	Policy/Revenue	\$8	552,795 titles issued	\$5	\$2,763,975
9	Statewide DUI Impound Fee	Policy/Revenue	\$0	12,146 DUIs	\$300	\$2,429,200
10	Surcharge on Local & Wireless Access Lines	Policy/Revenue	\$0.06	1,602,500 telephone lines	\$1 Month	\$19,230,000
11	Vehicle Insurance Surcharge	Policy/Revenue	\$0	1,614,392 vehicle registrations	\$1 Month	\$19,372,704

## Sources

1	Source: Idaho Transportation Department; Economic and Research Section, 2008 Vehicle Registration by County
2	Source: <a href="http://dfm.idaho.gov/Publications/EAB/Outlook/IO2010/outlookaugust2009.pdf">http://dfm.idaho.gov/Publications/EAB/Outlook/IO2010/outlookaugust2009.pdf</a>
3	Source: Idaho Transportation Department; Economic and Research Section, 2008 Drivers License, ID's, Endorsements Issued
4	Source: Idaho Transportation Department; Economic and Research Section, 2008 Recreational Vehicle Registration
5	Source: Idaho Transportation Department; Summary Report on Transportation Innovative Financing and Revenue Options
6	Source: Idaho Transportation Department; Economic and Research Section, 2008 Dealer Sales Volume Dollar Amount
7	Source: Idaho Transportation Department; Economic and Research Section, 2008 Vehicle Registration by County Tire replacement rate from: Idaho Transportation Department; Summary Report on Transportation Innovative Financing and Revenue Options (1 tire per year)
8	Source: Idaho Transportation Department; Economic and Research Section, 2008 Title Transactions and Issues
9	Source: <a href="http://dmv.utah.gov/impounddui.html">http://dmv.utah.gov/impounddui.html</a> : (\$100 est - towing company)
10	Source: <a href="http://www.puc.idaho.gov/internet/cases/tele/GNR/GNRT0902/staff/20090403DECISION%20MEMO.PDF">http://www.puc.idaho.gov/internet/cases/tele/GNR/GNRT0902/staff/20090403DECISION%20MEMO.PDF</a>
11	Source: Idaho Transportation Department; Economic and Research Section, 2008 Vehicle Registration by County

# Summary of Alternative Funding Options

		Current Count	Fluctuation in Annual Counts	Proposed Fee Increase	Estimated Annual Revenue Based on Current Figures
1	Increase Vehicle Registration Fee	1,614,392 vehicle registrations	(2005) 1,584,499 (2006) 1,601,014 (2007) 1,594,223 (2008) 1,614,392	\$1	\$1,614,392
2	Sales Tax	\$160,550,000 for every 1% of sales tax	(FY2006) \$836,400,000 (FY2007) \$1,084,700,000 (FY2008) \$1,116,000,000 (FY2009) \$1,041,600,000 (FY2010) \$963,000,000		
3	Increase Drivers License Fee	343,700 licenses issued	(2005) 277,722 (2006) 253,745 (2007) 299,827 (2008) 343,700	\$5	\$1,718,500
4	Increase on Recreational Vehicle Reg.	90,957 recreational vehicles	(2005) 94,601 (2006) 94,747 (2007) 97,258 (2008) 90,957	\$3	\$272,871
5	Dedicated Sales Tax on Transp. Items	N/A	N/A	0.5%	\$13,750,000
6	Auto Dealer Vehicle Sales Tax	\$1,905,559,482 annual auto sales	(2005) \$2,228,638,802 (2006) \$2,409,002,171 (2007) \$2,395,301,986 (2008) \$1,905,559,482	0.5%	\$9,527,797
7	Tire Fee	1,614,392 vehicle registrations	(2005) 1,584,499 (2006) 1,601,014 (2007) 1,594,223 (2008) 1,614,392	\$3 Per Tire	\$4,843,176
8	Increase Titling Fee	552,795 titles issued	(2005) 607,717 (2006) 617,317 (2007) 601,479 (2008) 552,795	\$5	\$2,763,975
9	Statewide DUI Impound Fee	12,146 DUIs	(2005) 9,074 (2006) 11,381 (2007) 11,659 (2008) 12,146	\$300	\$2,429,200
10	Surcharge on Local & Wireless Access Lines	1,602,500 telephone lines	N/A	\$1 Month	\$19,230,000
11	Vehicle Insurance Surcharge	1,614,392 vehicle registrations	(2005) 1,584,499 (2006) 1,601,014 (2007) 1,594,223 (2008) 1,614,392	\$1 Month	\$19,372,704



# Sales Tax Increase

Current sales tax revenues are listed below.

For each 1% increase in sales tax, \$160,550,000 in additional revenue would be generated.

\$ Millions			
Revenue Source	FY 2010 Executive Estimate <sup>3</sup>	DFM Predicted to Date	Actual Accrued to Date
Individual Income Tax	1,137.1	81.8	82.9
Corporate Income Tax	132.1	4.7	4.3
Sales Tax	963.3	88.7	90.6
Product Taxes <sup>1</sup>	40.7	3.2	3.2
Miscellaneous	104.0	19.1	18.1
<b>TOTAL GENERAL FUND<sup>2</sup></b>	<b>2,377.2</b>	<b>197.5</b>	<b>199.1</b>
<i>1 Product Taxes include beer, wine, liquor, tobacco and cigarette taxes</i>		<i>3 Revised Estimate as of August 2009</i>	
<i>2 May not total due to rounding</i>			

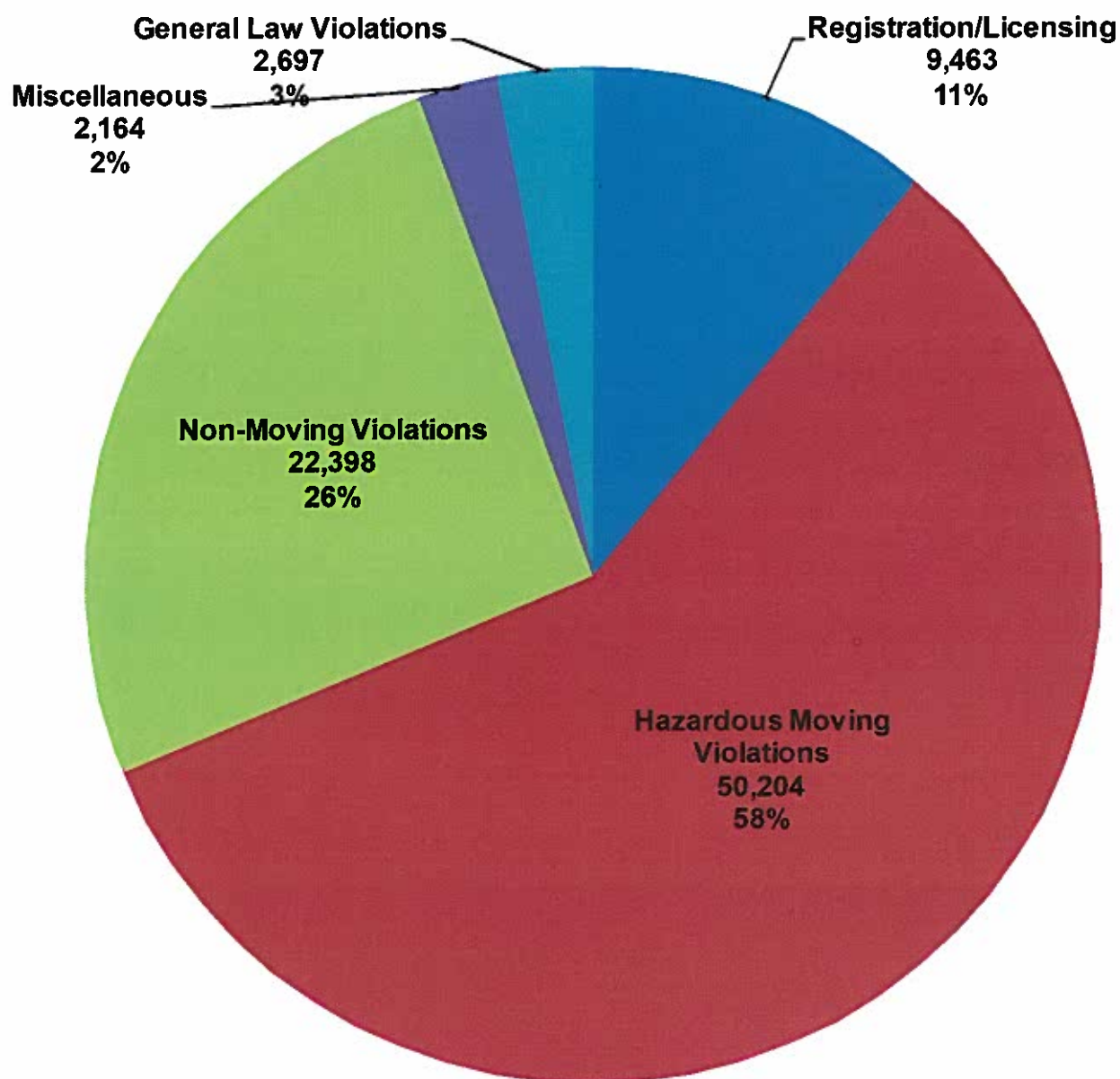
Source: <http://dfm.idaho.gov/Publications/EAB/Outlook/IO2010/outlookaugust2009.pdf>

# Total ISP Citations Issued CY2008

Page 19 of the Distribution of Court Fees and Fines presented by Patti Tobias on 8/11/09 [pg 29 when viewing pdf] provided a graph of the percentage of infractions by state agency. The graph below shows a more detailed breakdown of the citations issued by ISP.

A total of 86,926 citations were issued in calendar year 2008.

Please note. These figures represent the total number of citations issued by ISP during calendar year 2008, which includes Investigations. Figures which were presented to the Legislative Task Force by the Supreme Court [page 19 of handout] represent only the number of infractions for which citations were issued. These two figures will therefore vary.



Source: ISP Crystal Reports

**86,926 citations**

# Total ISP Citations Issued CY2008

<b>Registration/Licensing</b>	<b>9,463</b>
Registration	3,526
Drivers License	2,839
Driving Without Privileges	3,098
<b>Hazardous Moving Violations</b>	<b>50,204</b>
Passing/Driving	2,175
Reckless/Inattentive Driving	855
DUI (includes Felony DUI)	2,051
Turning/Turn Signals	804
All other HM Violations	353
Speed	41,131
Yield/Right of Way	1,678
Traffic Control Device	1,157
<b>Non-Moving Violations</b>	<b>22,398</b>
Commercial Vehicle	1,678
Other Non-Moving	225
Failure to Report Crash	112
Other Crashes	9
Equipment	960
Seat Belts	7,414
Child Restraints	541
Insurance	11,459
<b>Miscellaneous Misdemeanors</b>	<b>2,164</b>
Misdemeanors	2,164
<b>General Law Violations</b>	<b>2,697</b>
Felony (Except Drugs)	434
Drugs (M)	762
Drugs (F)	154
Paraphernalia	884
Warrants (M)	463
<b>Total</b>	<b>86,926</b>

Source: ISP Crystal Reports



# Trooper Hours Patrolling/Assisting

*Senator Bilyeu asked for a breakdown of how much trooper time is spent on the highways and what part of that time is to help local jurisdictions. Colonel Russell answered that ISP enforces the law on state and interstate highways, but that it also assists local agencies upon request; he agreed to get more data on the actual amount of time ISP helps local agencies.*

Though the sum total of Trooper personnel hours is 272,480, the amount of time Troopers actually spend on the road is much less, comprising approximately 75% of the total figure. Troopers must spend time off the road to compile reports and attend court. In-service training and testing are also a necessary job component, all of which require Troopers to be off the road for some period of time.

Out of the total Trooper time spent on the highways, time-tracking reports indicate that less than 2% is spent in agency assists. If converted into a dollar amount based on the Patrol budget, this would equate to \$519,000.

*Representative Labrador asked if ISP was providing the majority of forensic investigations for counties and cities. Colonel Russell said that some cities and counties have their own forensic services but, for the vast majority, ISP provides that service. Representative Labrador asked what percentage of ISP's annual budget is spent on all services that ISP provides to counties and cities, not just forensic services. Colonel Russell responded that he would get that dollar amount and percentage for the task force.*

The agency wide fiscal impact of assisting local law enforcement agencies is much higher. For example, Forensics personnel spend 83-85% of their time processing cases for other agencies. This means that Forensics services alone would show a fiscal impact of \$3,105,900. The Bureau of Criminal Identification, Investigations, Alcohol Beverage Control, and Cybercrime also dedicate an estimated 40% of their time [\$5,620,560] towards assisting local agencies. The total agency fiscal impact of assisting other law enforcement agencies is **\$9,242,460**, which is approximately 17% of the total agency budget.

	Total Employees	Annual Personnel Hours	Hours Patrolling Highways	Hours Spent Assisting Locals
Trooper	131	272,480	204,360	3,828

Source: ISP CADD System





## Arrest Data

Ray Houston, Budget and Policy Analyst asked Patti Tobias on behalf of a legislator, "Is there data available to separate arrests made by local police departments on state highways from those made by the state police or country officers? If so, what is the fiscal impact?" This question was directed to ISP.

Uniform Crime Report data outlined in the 2008 Crime in Idaho book published by the ISP Bureau of Criminal Investigations listed 75,916 total statewide arrests made by all agencies during 2008. 106 local law enforcement agencies are included in the arrest figures. **ISP officers conducted 7% of the statewide arrest total of 75,916.**

The actual fiscal impact of these arrests is difficult to determine. Moving violations and other types of citations create revenue, although more serious offenses for which an arrest is typically made often result in court fines and fees. The actual costs of these vary by the nature and severity of the crime.

While it would be interesting to know the exact location of each arrest [i.e. on a state highway vs. in the city], the arrest identifiers used by law enforcement agencies in the state of Idaho only go down to the county level. Therefore, we are unable to determine the number of arrests made on the highways by local jurisdictions as compared to those made by ISP.

	Count of Law Enforcement Personnel	Percent of Total
ISP (total commissioned)	268	10%
Other (county, city law enforcement)	2,417	90%
<b>Total officers in Idaho: 2,685</b>		

Source: ISP Crystal Reports, law enforcement count obtained from the Idaho Peace Officer Standards and Training (POST) Academy

	Arrests in 2008	Percent of Total
ISP (total commissioned)	5,376	7%
Other (county, city law enforcement)	70,540	93%
<b>Total Arrests: 75,916</b>		

Source: Crime in Idaho 2008

## Vehicle Registration by State Summary

*Acknowledging the work of the other task force looking into transportation funding, Representative Ringo asked about alternative funding options with respect to possible increases in vehicle registrations. She asked "if systems used by other states could be examined in terms of their registration fees and what they are based upon."*

- 30 states base vehicle registration fees on a flat fee.
- 15 states and the District of Columbia base vehicle registration fees on vehicle weight.
- 4 states including Idaho base vehicle registration fees on vehicle age.
- 1 state bases the vehicle registration fees on vehicle horsepower.

Please note: the full 6-page report which lists the vehicle registration fees for each state and the basis for the fee was sent to the Legislative Task Force via email.

Contiguous States	Fee Basis	Fee for Typical Vehicle
WYOMING	Flat fee	\$15.00
MONTANA	Weight	\$15.25
NEVADA	Flat fee	\$33.00
UTAH	Flat fee	\$14.50
WASHINGTON	Flat fee	\$23.85
OREGON	Flat fee	\$30.00
IDAHO	Age	\$37.25
		<b>Average: \$24.12</b>

Source: <http://www.fhwa.dot.gov/ohim/hwytaxes/2008/mv103pt1.cfm>

# Seat Belt Violations by State

Ray Houston, Budget and Policy Analyst requested information regarding seat belt violation fees in other states

State	Initial Effective Date	Primary Enforcement?	Who is covered?	Max Fine 1st Offense
Alabama	7/18/1991	yes; effective 12/09/99	15+ years in front seat	\$25
Alaska	9/12/1990	yes; effective 05/01/06	16+ years in all seats	\$15
Arizona	1/1/1991	no	5+ years in front seat; 5 through 15 in all seats	\$10
Arkansas	7/15/1991	yes; effective 06/30/09	15+ years in front seat	\$251
California	1/1/1986	yes; effective 01/01/93	16+ years in all seats	\$20
Colorado	7/1/1987	no	16+ years in front seat	\$15
Connecticut	1/1/1986	yes	7+ years in front seat	\$15
Delaware	1/1/1992	yes; effective 06/30/03	16+ years in all seats	\$25
District of Columbia	12/12/1985	yes; effective 10/01/97	16+ years in all seats	\$502
Florida	7/1/1986	yes; effective 6/30/09	6+ years in front seat; 6 through 17 years in all seats	\$30
Georgia	9/1/1988	yes; effective 07/01/96	6 through 17 years in all seats; 18+ years in front seat	\$153
Hawaii	12/16/1985	yes	8 through 17 years in all seats; 18+ years in front seat	\$45
Idaho	7/1/1986	no	7+ years in all seats	\$10
Illinois	1/1/1988	yes; effective 07/03/03	16+ in front seat; 18 and younger in all seats if driver is younger than 18 years	\$25
Indiana	7/1/1987	yes; effective 07/01/98	16+ years in all seats	\$25
Iowa	7/1/1986	yes	11+ years in front seat	\$25
Kansas	7/1/1986	no (yes for children <18; effective 07/01/07)	14 through 17 in all seats; 18+ in front seat	\$30
Kentucky	7/15/1994	yes; effective 07/20/06	6 and younger and more than 50 inches in all seats; 7+ in all seats	\$25
Louisiana	7/1/1986	yes; effective 09/01/95	13+ years in all seats (effective 08/15/09)	\$25
Maine	12/26/1995	yes; effective 09/20/07	18+ years in all seats	\$50
Maryland	7/1/1986	yes; effective 10/01/97	16+ years in front seat	\$25
Massachusetts	2/1/1994	no	13+ years in all seats	\$254
Michigan	7/1/1985	yes; effective 04/01/00	16+ years in front seat	\$25
Minnesota	8/1/1986	yes; effective 06/09/09	7 and younger and more than 57 inches in all seats; 8+ in all seats	\$25
Mississippi	7/1/1994	yes; effective 05/27/06	7+ years in front seat	\$25
Missouri	9/28/1985	no (yes for children <16)	16+ years in front seat	\$10
Montana	10/1/1987	no	6+ years in all seats	\$20
Nebraska	1/1/1993	no	18+ years in front seat	\$25
Nevada	7/1/1987	no	6+ years in all seats	\$25
New Hampshire	n/a	no law	no law	no law
New Jersey	3/1/1985	yes; effective 05/01/00	7 years and younger and more than 80 pounds; 8 through 17 in all seats; 18+ in front seat	\$20
New Mexico	1/1/1986	yes	18+ years in all seats	\$252
New York	12/1/1984	yes	16+ years in front seat	\$505
North Carolina	10/1/1985	yes (secondary for rear seat occupants)	16+ years in all seats	\$25
North Dakota	7/14/1994	no	18+ years in front seat	\$20
Ohio	5/6/1986	no	8 through 14 in all seats; 15+ years in front seat (effective 10/07/09)	\$30 driver/\$20 passenger
Oklahoma	2/1/1987	yes; effective 11/01/97	13+ years in front seat	\$20
Oregon	12/7/1990	yes	16+ years in all seats	\$90
Pennsylvania	11/23/1987	no	8 through 17 years in all seats; 18+ years in front seat	\$10
Rhode Island	6/18/1991	no (yes for children <18)	18+ years in all seats	\$75
South Carolina	7/1/1989	yes; 12/09/056	6+ years in front seat; 6+ years in rear seat with shoulder belt	\$25
South Dakota	1/1/1995	no	18+ years in front seat	\$20
Tennessee	4/21/1986	yes; 07/01/04	16+ years in front seat	\$507
Texas	9/1/1985	yes	7 years and younger who are 57 inches or taller; 8 through 16 years in all seats ; 17 + years in front seat (effective 09/01/09)	\$200
Utah	4/28/1986	no (yes for children <19 years)	16+ years in all seats	\$45
Vermont	1/1/1994	no	16+ years in all seats	\$25
Virginia	1/1/1988	no	16+ years in front seat	\$25
Washington	6/11/1986	yes; 07/01/02	16+ years in all seats	\$124
West Virginia	9/1/1993	no	8+ years in front seat; 8 through 17 years in all seats	\$25
Wisconsin	12/1/1987	yes; effective 06/30/09	8+ years in all seats	\$10
Wyoming	6/8/1989	no	9+ years in all seats	\$258driver/\$10 passenger

# Automated Enforcement by State

Red light cameras and other forms of automated enforcement have gained much publicity in recent years. Laws and procedures implemented by other states may be a viable option for ISP. The following table outlines the rules and violations related to automated enforcement throughout the nation.

State	Statewide or only specified locations?	Violations	Citation issued to whom?	Who is liable?	What image is taken?	Traditional enforcement penalties	Auto enforcement penalties/record
Alabama	no state law						
Alaska	no state law						
Arizona	statewide	red light	not addressed	not addressed	not addressed	\$250 fine/2 points	\$165; no points
	statewide	speed	not addressed	not addressed	not addressed	\$250 fine/2 points	\$165; no points
Arkansas	use of photo radar by county or state government prohibited except at school zones and railroad crossings; officer must be present and citation must be issued at time of offense						
California	statewide	red light	registered owner	driver	tag and driver	\$100 fine/1 point	same as for traditional citation
	statewide	rail crossing	registered owner	driver	tag and driver	\$100 fine/1 point	same as for traditional citation
Colorado	Colorado law grants the authority to use automated enforcement to capture any traffic violation						
	statewide	red light	registered owner	driver	tag and driver	\$110 fine (including surcharge)/4 points	\$75; no points or record
	restricted to construction and school zones, residential areas, or adjacent to a municipal park	speed	registered owner	driver	tag and driver	\$39 fine (including surcharge)/4 points	\$40 maximum fine (\$80 in school zones); no points or record; warning only for first photo radar offense if speed within 10 mph of limit
Connecticut	no state law						
Delaware	statewide	red light	registered owner	owner	2 or more images of the vehicle	\$75-\$230 fine	\$50 maximum fine; not a record or conviction offense; not to be used by insurers
District of Columbia	DC grants jurisdiction-wide authority to use automated enforcement to capture all moving infractions						
	entire jurisdiction	red light	registered owner	owner	not addressed	\$75 fine/2 points	\$75 fine; no points
	entire jurisdiction	speed	registered owner	owner	not addressed	\$75 fine/2 points	\$75 fine; no points
Florida	no state law						
Georgia	statewide	red light	registered owner	owner	license tag, intersection, and light	\$1,000 maximum fine/3 points	\$70 maximum fine; not a conviction or record offense; no points; not a moving violation; not to be used by insurers
Hawaii	no state law						
Idaho	no state law						

# Automated Enforcement by State

State	Statewide or only specified locations?	Violations	Citation issued to whom?	Who is liable?	What image is taken?	Traditional enforcement penalties	Auto enforcement penalties/record
Illinois	Illinois has several different automated enforcement laws						
	Cook, DuPage, Kane, Lake, Madison, McHenry, St. Clair, and Will counties; requires local ordinance	red light	registered owner	owner	2 or more images of vehicle and tag	\$500 maximum fine/20 points	\$100; not a moving violation or record offense
	statewide only in construction zones or Illinois Toll Authority roads	speed	registered owner	driver	tag and driver	mandatory \$250 fine/20 points	\$250 fine or 25 hours community service
	any county or municipality may use automated enforcement in cooperation with the Illinois DOT and ICC; ordinance required; pilot program is also authorized	rail crossing	registered owner	driver (owner if driver not identified by owner)	vehicle, driver, and tag	\$250 maximum fine/20 points	\$250 fine or 25 hours community service
	local authorities are prohibited from using speed cameras; state may use speed cameras, but only when a law enforcement officer is present and witnesses the event	speed	not addressed	not addressed	not addressed	not addressed	not addressed
Indiana	no state law						
Iowa	no state law						
Kansas	no state law						
Kentucky	no state law						
Louisiana	state law provides that convictions resulting from camera enforcement shall not be reported for inclusion in driver record; law is silent on other issues						
Maine	all photo enforcement prohibited (effective 90 days after legislature adjourns)						
Maryland	statewide	red light	registered owner	owner	2 or more images of rear of vehicle and tag in any medium	\$500 maximum fine/2 points	\$100 maximum civil penalty; no points or record; not a moving violation; may not be used by insurers
	until 10/1/09, Montgomery County school zones and residential districts; after 10/1/09, Montgomery County school zones and residential districts, statewide in school zones by local ordinance and work zones	speed	registered owner	owner	2 or more images of rear of vehicle and tag in any medium	maximum fine \$500 in residential district, \$1,000 in school zone; points depend on speed	\$40 maximum fine; no points
	Montgomery County (effective 10/1/09) and Prince George's County	rail crossing	registered owner	owner	vehicle, driver and tag	\$500 maximum fine/1 point	\$100 maximum fine; no points
Massachusetts	no state law						
Michigan	no state law						
Minnesota	no state law						
Mississippi	all localities prohibited from using automated enforcement; all current programs prohibited effective 3/20/09						



# Automated Enforcement by State

State	Statewide or only specified locations?	Violations	Citation issued to whom?	Who is liable?	What image is taken?	Traditional enforcement penalties	Auto enforcement penalties/ record
Missouri	no state law						
Montana	all localities prohibited from using automated enforcement; railroad grade crossings excepted						
Nebraska	no state law						
Nevada	prohibits use of imaging equipment unless it is hand held by an officer, installed in a vehicle or facility of a law enforcement agency; traditional enforcement penalties: \$1,000 maximum fine and 4 points						
New Hampshire	prohibited unless there is specific statutory authorization						
New Jersey	photo radar is prohibited  local jurisdictions must pass an ordinance and apply to Transportation Commissioner to participate in a pilot program	red light	registered owner	registered owner and driver are jointly liable	two or more images of vehicle and tag	\$85	penalty same as for traditional citation; no points
New Mexico	no state law specifically authorizing automated enforcement; state law requires counties and municipalities using camera enforcement to post a warning sign and a warning beacon						
New York	cities of at least 1 million people, up to 150 intersections in each city; Effective 5/28/09: counties of Nassau and Suffolk, the cities of Rochester and Buffalo, by local ordinance, up to 50 intersections; Yonkers, by local ordinance, up to 25 intersections	red light	owner	owner	2 or more images of rear of vehicle and tag in any medium	\$100 maximum fine/3 points	\$50 fine; not a record or conviction offense; may not be used by insurers
North Carolina	where specified by statute (Albemarle, Charlotte, Chapel Hill, Cornelius, Durham, Fayetteville, Greensboro, Greenville, High Point, Huntersville, Lumberton, Matthews, Nags Head, Newton, Pineville, Rocky Mount, Spring Lake, and Wilmington)	red light	owner	owner	photo, video, electronic image	\$100 maximum fine/3 points	\$75 civil penalty; no points
North Dakota	no state law						
Ohio	no state law						
Oklahoma	no state law						
Oregon	cities statewide	red light	registered owner or driver, if identifiable	registered owner	photographs; digital images	\$300 maximum fine	penalty same as for traditional citation
	Albany, Beaverton, Bend, Eugene, Medford, Portland, and Tigard (may not be used for more than four hours per day in any one location)	speed	registered owner or driver, if identifiable	registered owner	photographs; digital images	\$300 maximum fine	penalty same as for traditional citation

# Automated Enforcement by State

State	Statewide or only specified locations?	Violations	Citation issued to whom?	Who is liable?	What image is taken?	Traditional enforcement penalties	Auto enforcement penalties/record
Pennsylvania	Philadelphia	red light	registered owner	owner	photographs	\$25 fine/3 points	\$100 maximum; not on operating record
Rhode Island	statewide	red light	registered owner	driver	2 or more images of vehicle and tag in any medium	\$75 fine	\$75 fine; not a criminal or record offense; not a moving violation; not to be used by insurers until there is a final adjudication of the violation
	statewide	school bus safety violations	registered owner	registered owner	2 or more images of vehicle and tag in any medium	\$500 fine	\$500 fine; not a criminal or record offense; not a moving violation; not to be used by insurers
South Carolina	no state law						
South Dakota	no state law						
Tennessee	statewide except for interstate highways that are not work zones	traffic violation	registered owner	registered owner	not addressed	\$50 fine/points	not reportable; no points may be assessed
Texas	a Texas municipality may not use an automated traffic control system to enforce speed						
	statewide; requires local ordinance	red light	registered owner	owner	2 or more photographic or digital images of tag	\$200 maximum fine	\$75; not a criminal or record offense
Utah	statewide only school zones or where limit is 30 mph or less; officer must be present; requires local ordinance	speed	not addressed	not addressed	photograph	\$1,000 maximum fine/50 points	not reportable; no points may be assessed
Vermont	no state law						
Virginia	counties, cities, and towns may operate cameras at no more than 1 intersection for every 10,000 residents; requires local ordinance; the exception is the Washington, DC metropolitan area, it permits up to 10 camera sites or 1 site per 10,000 residents, whichever is greater	red light	registered owner	driver	2 photographs or other recorded images	\$200 maximum fine/4 points	\$50 maximum fine; no court costs; not a criminal offense; no points; may not be used by insurers
Washington	cities and counties statewide where two arterial roads intersect	red light	registered owner	registered owner	vehicle, license tag	\$250 maximum fine	fine up to the maximum for parking violations in the jurisdiction; no record; no points
	school zone	speed	registered owner	registered owner	vehicle, license tag	\$250 maximum fine	fine up to the maximum for parking violations in the jurisdiction; no record; no points
	cities and counties statewide	rail crossing	registered owner	registered owner	vehicle, license tag	\$250 maximum fine	fine up to the maximum for parking violations in the jurisdiction; no record; no points
West Virginia	all photo enforcement prohibited						
Wisconsin	photo radar is prohibited						
Wyoming	no state law						